

AMENDED IN SENATE MAY 3, 2005
AMENDED IN SENATE APRIL 21, 2005
AMENDED IN SENATE APRIL 13, 2005
AMENDED IN SENATE MARCH 31, 2005

SENATE BILL

No. 1080

**Introduced by Senator Campbell
(Coauthor: Senator Dunn)**

February 22, 2005

An act to amend, repeal, and add Sections 52517 and 78401 of the Education Code, relating to adult education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1080, as amended, Campbell. Adult education.

Existing law prohibits a high school or unified school district, or a community college district attended by high school pupils, from reporting for state apportionments average daily attendance in classes for adults if the district receives full compensation for the classes from any public or private agency, individual or group of individuals or the classes are not located in facilities clearly identified in a manner, and established by appropriate procedures, to ensure that attendance in the classes is open to the general public, with specified exceptions.

This bill would, until July 1, 2011, authorize a school district to report for state apportionments average daily attendance, and a community college district to report for state apportionments for full-time equivalent students, in classes for adults that are not open to the general public if the classes are offered at a worksite primarily for the benefit of employees, intended primarily to develop literacy and English language skills, and instructed by a credentialed employee of

the school district, or, in the case of a community college district, a person determined by the board of governors of the district to be qualified to teach adult education classes offered, as specified. The bill would limit those classes to 2% of all adult education apportionments for the community college district or for the school district.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52517 of the Education Code is
2 amended to read:

3 52517. (a) A high school or unified school district shall not
4 report for state apportionments average daily attendance, and a
5 community college district shall not report for state
6 apportionments for full-time equivalent students, in classes in
7 any of the following circumstances:

8 (1) The district receives full compensation for the classes from
9 any public or private agency, individual or group of individuals,
10 except fees authorized by Section 52612.

11 (2) The classes are not located in facilities clearly identified in
12 a manner, and established by appropriate procedures, to ensure
13 that attendance in the classes is open to the general public, except
14 those authorized pursuant to Section 52570 and those in state
15 hospitals.

16 (b) (1) Notwithstanding paragraph (2) of subdivision (a), a
17 school district may report for state apportionments average daily
18 attendance, and a community college district may report for state
19 apportionments for full-time equivalent students, in classes that
20 are not open to the general public if all of the following
21 conditions are met:

22 (A) The classes are offered at a worksite primarily for the
23 benefit of employees at that worksite. For purposes of this
24 section, “worksite” means the pupil’s or the student’s place of
25 employment or any other area designated by the pupil’s or the
26 student’s employer.

27 (B) The classes are intended primarily to develop literacy and
28 English language skills.

29 (C) The classes are instructed by a credentialed employee of
30 the district or, in the case of a community college district, a

1 person determined by the board of governors of the district to be
2 qualified to teach adult education courses offered pursuant to
3 Section 78401.

4 *(D) The employer has established a class size, in advance,*
5 *which is included in all applications for establishing a class at a*
6 *worksite. Employees at the worksite are given first priority in*
7 *enrollment. Second priority in enrollment is given to members of*
8 *the employees' families. Third priority in enrollment is given to*
9 *members of the public.*

10 (2) The classes offered pursuant to paragraph (1) shall be
11 limited to 2 percent of all adult education apportionments for the
12 community college district or the school district.

13 (c) The State Board of Education may adopt regulations
14 necessary to enforce this section.

15 (d) This section shall become inoperative on July 1, 2011, and,
16 as of January 1, 2012, is repealed, unless a later enacted statute
17 that is enacted before January 1, 2012, deletes or extends the
18 dates on which it becomes inoperative and is repealed.

19 SEC. 2. Section 52517 is added to the Education Code, to
20 read:

21 52517. (a) A high school or unified school district may not
22 report for state apportionments average daily attendance in
23 classes in any of the following circumstances:

24 (1) The district receives full compensation for the classes from
25 any public or private agency, individual or group of individuals,
26 except fees authorized by Section 52612.

27 (2) The classes are not located in facilities clearly identified in
28 a manner, and established by appropriate procedures, to ensure
29 that attendance in the classes is open to the general public, except
30 those authorized pursuant to Section 52570 and those in state
31 hospitals.

32 (b) The State Board of Education may adopt regulations
33 necessary to enforce this section.

34 (c) This section shall become operative July 1, 2011.

35 SEC. 3. Section 78401 of the Education Code is amended to
36 read:

37 78401. (a) The governing board of any community college
38 district may, with the approval of the board of governors,
39 establish and maintain classes for adults for the purpose of

1 providing instruction in civic, vocational, literacy, health,
2 homemaking, technical and general education.

3 (b) Classes for adults shall conform to any course of study and
4 graduation requirements otherwise imposed by law or under the
5 authority of law.

6 (c) Except for classes described by subdivision (b) of Section
7 52517, classes for adults shall be open for the admission of adults
8 and of any minors who, in the judgment of the governing board,
9 may be qualified for admission thereto. Classes described by
10 subdivision (b) of Section 52517 may be offered at a worksite
11 primarily for the benefit of employees at that worksite. For
12 purposes of this section, “worksite” means the student’s place of
13 employment or any other area designated by the student’s
14 employer. *The employer shall establish a class size, in advance,*
15 *which shall be included in all applications for establishing a*
16 *class at a worksite. Employees at the worksite shall be given first*
17 *priority in enrollment. Second priority in enrollment shall be*
18 *given to members of the employees’ families. Third priority in*
19 *enrollment shall be given to members of the public.*

20 (d) The board of governors shall establish standards, including
21 standards of attendance, curriculum, administration, and
22 guidance and counseling service for classes for adults as a basis
23 for the several apportionments of state funds provided herein for
24 the support of these classes.

25 (e) The governing board of any community college district
26 maintaining an adult school shall prescribe the requirements for
27 the granting of diplomas.

28 (f) This section shall become inoperative on July 1, 2011, and,
29 as of January 1, 2012, is repealed, unless a later enacted statute
30 that is enacted before January 1, 2012, deletes or extends the
31 dates on which it becomes inoperative and is repealed.

32 SEC. 4. Section 78401 is added to the Education Code, to
33 read:

34 78401. (a) The governing board of any community college
35 district may, with the approval of the board of governors,
36 establish and maintain classes for adults for the purpose of
37 providing instruction in civic, vocational, literacy, health,
38 homemaking, technical and general education.

1 (b) Classes for adults shall conform to any course of study and
2 graduation requirements otherwise imposed by law or under the
3 authority of law.

4 (c) Classes for adults shall be open for the admission of adults
5 and of any minors who, in the judgment of the governing board,
6 may be qualified for admission thereto.

7 (d) The board of governors shall establish standards, including
8 standards of attendance, curriculum, administration, and
9 guidance and counseling service for classes for adults as a basis
10 for the several apportionments of state funds provided herein for
11 the support of these classes.

12 (e) The governing board of any community college district
13 maintaining an adult school shall prescribe the requirements for
14 the granting of diplomas.

15 (f) This section shall become operative July 1, 2011.